

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

THE ESTATE OF JAMES FRANKLIN PERRY,
by NATHANIEL CADE, JR., Special Administrator,
and JAMES FRANKLIN PERRY JR. (A Minor)

Plaintiffs,

Case No. 12-CV-664

v.

CHERYL WENZEL, R.N., et al,
Defendants.

PROPOSED VOIR DIRE

The parties hereby submit the following proposed voir dire questions to be asked in combination with any other standard questions to be asked by the Court as a matter of course (name, age, community residing in, children, extent of formal education, employment and spouse/partner's employment):

1. What cities or suburbs have you lived in for the last ten years?
2. Where are you originally from?
3. What is your current marital status?
4. Do you own your home or rent?
5. Have you ever owned a business or been self-employed? If so, please explain.
6. If applicable, what is the employment status of any adults who live with you? What do they do for a living?
7. If applicable, what is your spouse or partner's highest level of education?
8. If you have children, what are their ages, education levels, and occupations, if any?
9. Have you, a relative, or a close friend ever been party to a lawsuit? If yes:
 - a. What type of lawsuit was it?
 - b. Were you, your relative, or close friend the person who filed the lawsuit or the



- person being sued? If neither, please explain.
- c. Was the lawsuit resolved in a manner agreeable to you, your relative, or close friend?
 - d. Did the experience leave you with any strong impressions with regard to what goes on in a courtroom? If so, what were they?
10. Do you have any prior jury experience? If yes:
- a. On how many occasions have you served on a jury?
 - b. Have you served on criminal or civil juries, or both?
 - c. Were you ever the foreperson of a jury?
 - d. Was there a verdict in any of the cases in which you served on a jury? What was the verdict?
11. Do you know any of the parties in this case (or their attorneys)? If so, please explain.
12. Do you know anyone who is either employed by or associated with any of the parties to this case (or their attorneys)? If so, please explain.
13. Do you know any of the witnesses in this case? If so, please explain.
14. Do you have any legal education or training? If so, please explain.
15. Do you have any relatives or close friends who are in the legal profession? If so, please explain.
16. Do you have any medical education or training? If so, please explain.
17. Do you have any family or close friends who are in the medical profession? If so, please explain.
18. Have you, a relative, or a close friend ever worked for any governmental body, law enforcement agency, or security-related business? If so, please explain.
19. Have you ever applied for a job with a law-enforcement agency, government body, or security-related business? If so, please explain.
20. Have you, or any relatives or close friends, had any dealing with police officers or other law enforcement officials that left you with strongly negative or strongly positive feelings

about police officers or law enforcement officers generally? If so, please explain.¹

21. Have you, any relatives, or close friends ever had any dealing with the medical profession that left you with strongly negative or strongly positive feelings about medical professionals? If so, please explain.
22. In this case, the witnesses include law enforcement and correctional officers. Does anyone believe that a law enforcement or correctional officer is less or more credible or believable than any other person?
23. Do you believe that someone who has been arrested has a right to bring a lawsuit against a law enforcement officer or other public official the same as they would against a private citizen?
24. Do you believe that because a person was arrested they are not entitled to medical care?
25. Do you believe someone who was arrested still has the right to recover damages for intangible items such as mental anguish, emotional injury and pain and suffering?
26. What is your biggest concern, if any, about how our judicial system works?
27. What are your hobbies or other major interests outside of work?
28. To what clubs, religious or civic organizations, societies, fraternal, community, professional associations, political organizations, unions, or other groups do you or your spouse or partner belong? Have you or your spouse or partner held leadership positions with any such organizations?
29. How do you get your news? What television stations, internet sites, or newspapers do you view to get your news?
30. What television programs, if any, do you regularly watch?
31. What bumper stickers, if any, do you have on your car?

¹ The parties request this proposed question be asked confidentially, in chambers.

32. Do you listen to talk radio? If so, which shows?
33. Do you hold any moral, religious, philosophical or other personal beliefs that might make it difficult to stand in judgment of another?
34. Do you have any health problems that might affect your ability to serve as a juror in this case? If so, please explain.
35. Do you know of anything in your background that we have not talked about that the court or the parties to the case should know about your ability to serve as a fair and impartial juror in this case?
36. Have you or has anyone close to you been arrested? If so, what were the circumstances surrounding the arrest? Would the experience affect your judgment in the case?²
37. Have you ever been the victim of a crime? What were the circumstances? Would that experience affect your judgment in this case?
38. Have you read any articles or seen or heard programs on radio or television about this case or any of the parties? Do you recall what you either read or saw? Would this cause you to favor one side over the other?
39. Since the Plaintiffs are the accusers, they have the opportunity to put their case on first. Will you wait to hear all of the evidence before reaching any conclusions?
40. The judge will instruct you on the law as it applies to this case. Will you be able to follow these instructions on the law even if you personally disagree with the law?
41. Have you or has anyone close to you suffered from an emergency medical situation, like a heart attack, stroke, asthma attack, or allergic reaction? Would that experience affect your judgment in this case?

² The parties request this proposed question be asked confidentially, in chambers.

42. Have you or has anyone close to you suffered from any medication-related side effects, like drowsiness, slurred speech, or dizziness? Would that experience affect your judgment in this case?
43. Have you or has anyone close to you received either American Heart Association or Red Cross first-aid training? If so, would that training and experience with regard to first aid affect your judgment in this case?